

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

**Call to Order:** Chair David Howard, on February 25, 2019 at 3:00 PM, in Room 317  
Capitol

#### ROLL CALL

**Members Present:**

Sen. David Howard, Chair (R)  
Sen. Cary Smith, Vice Chair (R)  
Sen. Jen Gross, Vice Chair (D)  
Sen. Steve Hinebauch (R)  
Sen. Bob Keenan (R)  
Sen. Sue Malek (D)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Diane Sands (D)

**Members Excused:** Sen. Jason D. Small (R)

**Members Absent:** None

**Staff Present:** Julie Emge, Committee Secretary  
Corina Hach, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 306, 2/21/2019; SB 280, 2/20/2019; SB 289, 2/20/2019

Executive Action: SB 289 - DO PASS AS AMENDED  
SB 209 - BE AMENDED  
SB 235 - TABLED  
SB 267 - TIED VOTE

**HEARING ON SB 306**

**Opening Statement by Sponsor:**

15:05:38 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 306, Set standards for caregiver ratio in certain Category C assisted living centers.

**Proponents' Testimony:**

15:07:42 Steve Gallus, private citizen

15:11:38 Carter Anderson, administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS)

**Opponents' Testimony:**

15:13:26 Rose Hughes, executive director, Montana Health Care Association (MHCA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:21:54 Chair Howard

15:23:23 Ms. Hughes, MHCA

15:23:44 Sen. Keenan

15:24:03 Ms. Hughes

**Closing by Sponsor:**

15:24:25 Sen. Jacobson

**HEARING ON SB 280**

**Opening Statement by Sponsor:**

15:27:50 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 280, Establish requirements for providing and covering medication-assisted treatment.

**Proponents' Testimony:**

15:28:51 Greg Dorrington, Montana Medical Association

[EXHIBIT\(phs40a01\)](#)

[EXHIBIT\(phs40a02\)](#)

15:33:46 Sen. Gross entered the hearing.

15:36:58 Robert Sherrick, M.D., Pathways Treatment Center

15:43:30 Matt Kuntz, executive director, National Alliance on Mental Illness

15:47:28 Stacey Anderson, policy director, Montana Primary Care Association

**Opponents' Testimony:**

15:49:55 Jennifer Hensley, government relations manager, PacificSource Health Plans

[EXHIBIT\(phs40a03\)](#)

15:56:40 Kali Wicks, Blue Cross Blue Shield Montana

[EXHIBIT\(phs40a04\)](#)

[EXHIBIT\(phs40a05\)](#)

16:02:11 Richard Miltenberger, president, Montana Health CO-OP  
[EXHIBIT\(phs40a06\)](#)

16:09:06 Bruce Spencer, Montana Health CO-OP  
16:14:27 Sean Slanger, American Health Insurance Plans

**Informational Testimony:**

16:16:42 Jeannie Keller, Insurance Services Bureau chief, Commissioner of Securities and Insurance (CSI), Montana State Auditor

**Questions from Committee Members and Responses:**

16:17:21 Chair Howard  
16:17:37 Sen. Gross  
16:17:53 Sen. Olszewski  
16:18:29 Sen. Sands  
16:18:45 Ms. Keller, CSI  
16:20:17 Chair Howard

**Closing by Sponsor:**

16:20:27 Sen. Olszewski

**HEARING ON SB 289**

**Opening Statement by Sponsor:**

16:20:48 Sen. Diane Sands (D), SD 49, opened the hearing on SB 289, Provide safe harbor for pregnant women seeking assistance for substance abuse.

[EXHIBIT\(phs40a07\)](#)

**Proponents' Testimony:**

16:24:51 Stacey Anderson, policy director, Montana Primary Care Association  
16:26:26 Greg Dorrington, Montana Medical Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

16:27:20 Sen. Sands

**EXECUTIVE ACTION ON SB 289**

16:28:47 **Motion:** Sen. Sands moved that **SB 289 DO PASS.**

**Discussion:**

16:28:51 Sen. Sands  
[EXHIBIT\(phs40a08\)](#)

16:29:23 Chair Howard

16:29:26 Sen. Sands  
16:29:42 Chair Howard

16:29:51 **Motion:** Sen. Sands moved that **SB 289 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

**Discussion:**

16:30:02 Chair Howard  
16:30:11 Cori Hach, staff attorney, Legislative Services Division (LSD)  
16:31:04 Chair Howard  
16:31:36 Sen. Sands

16:31:49 **Vote:** Motion carried unanimously by voice vote. Sen. Small voted by proxy.

16:32:19 **Motion:** Sen. Sands moved that **SB 289 DO PASS AS AMENDED.**

**Discussion:**

16:32:35 Sen. Olszewski

16:33:06 **Vote:** Motion carried unanimously by voice vote. Sen. Small voted by proxy.

**Discussion:**

16:33:36 Sen. Smith  
16:33:54 Sen. Sands  
16:34:04 Sen. Smith  
16:34:15 Sen. Olszewski  
16:34:51 Sen. Smith  
16:35:17 Sen. Sands

**EXECUTIVE ACTION ON SB 209**

16:35:26 **Motion:** Sen. Keenan moved that **SB 209 DO PASS.**

**Discussion:**

16:35:44 Sen. Keenan  
[EXHIBIT\(phs40a09\)](#)

16:36:18 Sen. Gross

16:36:27 Sen. Malek left the hearing.

16:36:30 **Motion:** Sen. Keenan moved that **SB 209 BE AMENDED.**

**Discussion:**

16:36:44 Sen. Gross  
16:37:17 Sen. Keenan  
16:37:43 Cori Hach, staff attorney, Legislative Services Division (LSD)  
16:37:50 Sen. Keenan  
16:38:10 Sen. Gross  
16:38:40 Ms. Hach, LSD

16:39:03 Chair Howard  
 16:39:16 Sen. Keenan  
 16:39:50 Sen. Sands

16:40:20 **Vote:** Motion carried unanimously by voice vote. Sen. Malek and Sen. Small voted by proxy.

16:40:33 Without objection, Sen. Keenan withdrew the DO PASS motion.

**Discussion:**

16:40:59 Sen. Gross  
 16:41:10 Chair Howard  
 16:41:26 Sen. Smith  
 16:41:28 Sen. Keenan  
 16:41:42 Chair Howard

**EXECUTIVE ACTION ON SB 235**

16:42:09 **Motion:** Sen. McNally moved that **SB 235 DO PASS**.

**Discussion:**

16:42:23 Sen. McNally

16:43:32 **Substitute Motion/Vote:** Sen. C. Smith made a Substitute Motion that **SB 235 BE TABLED**. Substitute Motion carried 6-4 by roll call vote with Sen. Gross, Sen. Malek, Sen. McNally and Sen. Sands voting no. Sen. Malek and Sen. Small voted by proxy.

**EXECUTIVE ACTION ON SB 267**

16:45:14 **Motion:** Sen. Sands moved that **SB 267 DO PASS**.

**Discussion:**

16:45:18 Sen. Sands  
 16:45:57 Sen. Olszewski  
 16:46:37 Sen. Gross  
 16:47:17 Chair Howard  
 16:47:59 Sen. Sands  
 16:49:05 Sen. McNally  
 16:49:29 Sen. Olszewski

16:50:00 **Vote:** Motion failed 5-5 by roll call vote with Sen. Gross, Sen. Keenan, Sen. Malek, Sen. McNally and Sen. Sands voting aye. Sen. Malek and Sen. Small voted by proxy.

**Discussion:**

16:50:53 Sen. Sands

16:51:06 **Motion:** Sen. Olszewski moved that **SB 267 BE TABLED**.

**Discussion:**

16:51:10 Chair Howard

16:51:22 Sen. Sands

16:51:29 Chair Howard

16:51:34 Without objection, Sen. Olszewski withdrew the BE TABLED motion.

**Committee Business:**

16:51:53 Chair Howard

16:52:15 Sen. Gross

16:52:20 Chair Howard

16:52:44 Sen Olszewski

16:53:27 Chair Howard

16:53:35 Sen. Olszewski

16:53:37 Sen. Sands

16:54:23 Chair Howard

16:54:25 Sen. Olszewski

16:54:43 Chair Howard

16:55:47 Sen. Olszewski

16:55:00 Julie Emge, committee secretary

16:55:25 Sen. Olszewski

16:55:30 Chair Howard

16:55:43 Sen. Olszewski

16:55:55 Chair Howard

**ADJOURNMENT**

Adjournment: 4:56 PM

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Julie Emge, Secretary

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Additional Documents:

**EXHIBIT**([phs40aad.pdf](#))